

By Mr. Kulik of Worthington, petition of the Massachusetts Municipal Association, David P. Magnani, Stephen Kulik and other members of the General Court for legislation to further regulate property tax overlay amounts in cities and towns. Taxation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Seven.

AN ACT RELATIVE TO PROPERTY TAX OVERLAY AMOUNTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 25 of Chapter 59 of the General Laws, as appearing in
2 the 1994 Official Edition, is hereby amended by striking out the
3 first sentence and inserting in place thereof the following sen-
4 tence:—

5 The assessors in any city or town may add to the amount to be
6 assessed such reasonable amount as the commissioner may
7 approve although the total limit of taxation as provided in section
8 twenty-one C of this chapter may by such overlay be exceeded in
9 an amount not to exceed an amount equal to the average overlay
10 for the three prior fiscal years, such amount to be used only for
11 avoiding fractional divisions of the amount to be assessed in the
12 apportionment thereof and for abatements and exemptions granted
13 on account of property assessed for the fiscal year for which the
14 overlay is made or of taxes in the warrant of which the overlay is
15 a part, but any balance in the overlay account, in excess of the
16 amount of the warrant remaining to be collected or abated, as cer-
17 tified by the board assessors, shall be transferred by the board of
18 assessors upon their own initiative or within ten days of a written
19 request by the chief executive officer, to a reserve fund to be
20 appropriated for any local purpose; any balance in said reserve
21 fund at the end of the fiscal year shall be closed out to surplus
22 revenue.

